



ASSOCIATED INDUSTRIES OF MASSACHUSETTS

222 Berkeley Street • P.O. Box 763 • Boston, MA 02117-0763 • 617-262-1180 • Fax: 617-536-6785 • [www.aimnet.org](http://www.aimnet.org)

February 1, 2005

Mary L. Cottrell, Secretary  
Department of Telecommunications and Energy  
One South Station – 2<sup>nd</sup> Floor  
Boston, MA 02110

RE: D.T.E. 04-84

Dear Secretary Cottrell:

On July 14, 2004, Competitive Energy Services-Massachusetts, LLC (“Company”) filed with the Department of Telecommunications and Energy (“Department”), a petition to require local gas distribution companies to make available to licensed suppliers certain information about commercial and industrial natural gas customers, including capacity assignment numbers. The Company requests that this and other customer contact information be available in electronic format and on a quarterly basis.

The Department requested comments to be submitted by 10 a.m. on Tuesday, January 11, 2004. Associated Industries of Massachusetts (A.I.M.) was not part of the service list, and therefore did not receive the notice of request for comment on this important matter. A.I.M. requests that the Department accept these comments filed out of time.

A.I.M. is the largest employers’ association in Massachusetts with over 7,600 members. A.I.M. members include small, medium and large businesses, that all stand to be affected by the outcome of this proceeding. As a result of such diverse interests, A.I.M. is uniquely positioned to comment in this proceeding.

Over the past year a number of smaller companies have had difficulty in obtaining natural gas through a competitive supplier. This has been an area of concern for A.I.M. since some of our members were forced to revert to the gas utility at the end of expired supply contracts and experienced higher costs due to additional capacity charges.

A.I.M. is in favor of the prudent release of certain customer data, as it promotes competition for smaller customers and supports portions of the request of Competitive Energy Services - Massachusetts, with some important exceptions and recommendations.

Similar to the Department’s approach with electricity and the release of customer data and information, A.I.M. recommends that the Department follow the same established protocol and release customer data with the exception of large commercial and industrial customers. A.I.M. feels strongly that release of large commercial and industrial customer information could put them at a competitive disadvantage. Large natural gas customers, particularly those with favorable load factors, have little difficulty finding competitive suppliers so there is little benefit to releasing customer information other than to promote “cherry picking” by gas suppliers of the most desirable gas customers.

A.I.M. Comments re D.T.E. 04-84  
February 1, 2005  
Page two

A.I.M. recommends that the Department provide the appropriate language and penalties for the misuse of the data. A.I.M. further recommends that the Department consider exploring other avenues and possible structural changes for smaller natural gas customers with poor load factor to ensure there is choice for all commercial and industrial customers.

A.I.M. appreciates the opportunity to provide these comments to the Department. If you have any questions, or if I can be of further assistance, please don't hesitate to contact me at 617-262-1180.

Sincerely,

A handwritten signature in black ink, reading "Angela M. O'Connor". The signature is fluid and cursive, with the first name "Angela" being the most prominent.

Angela M. O'Connor  
Vice President of Energy Policy

AOC:gm